IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

ROSETTA STONE LTD. Plaintiff, v. GOOGLE INC. Defendant.	CIVIL ACTION NO. 1:09cv736 (GBL / TCB)

REVISED CONSENT MOTION TO SET OR AMEND BRIEFING SCHEDULE

COMES NOW Defendant Google Inc., by counsel, pursuant to the Federal Rules of Civil Procedure, and files this Revised Consent Motion to Set or Amend Briefing Schedule, setting forth the following:

1. On February 18, 2010, the Final Pretrial Conference in this action was held before United States District Judge Gerald Bruce Lee. At the Final Pretrial Conference, this action was set for a six-day jury trial, beginning May 3, 2010, and the parties agreed to a briefing schedule for summary judgment motions. Counsel for Defendant understood that the parties had agreed to file summary judgment motions by March 26, 2010 and set those matters for hearing on April 23, 2010. However, the Minute Entry for the Final Pretrial Conference requires summary judgment motions to be heard by March 16, 2010.

2. By Order entered February 4, 2010 (Doc. No. 54), discovery in this matter does not close until March 12, 2010. For this reason, and due to the complexity of the issues presented, the parties, in agreement, hereby ask the Court to extend the deadline for filing of summary judgment motions to March 26, 2010. All other deadlines will remain unchanged.

2. WHEREFORE, in consideration of the foregoing the parties respectfully request that the Court enter the Consent Order attached hereto as Exhibit A and grant them such other

and further relief as the Court deems just and appropriate.

Respectfully Submitted,

GOOGLE INC.
By counsel

/s/

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SEEN AND AGREED

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 3rd day of March, 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following::

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